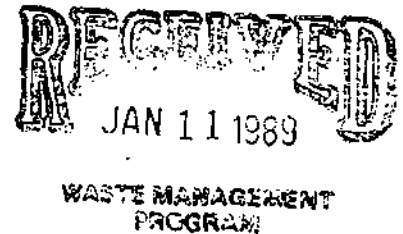


Rock Road Industries, Inc.
13570 St. Charles Rock Rd.
Bridgeton, MO 63044

0714
Site: West Lake RE
ID # MBD07990432
Break: 2.0
Other: A12
1-5-89
CWA

January 5, 1989

Mr. Jim Belcher, Chief
Planning and Pre-Remedial Unit
Superfund Section
Waste Management Program
State of Missouri
Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102



Dear Jim,

I have received your letter dated December 22, 1988, concerning the letter I sent to you dated September 19, 1988. My letter was in response to your prior letter dated August 30, 1988. Each of these letters concerns certain property which has been listed on the Registry of Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites in Missouri ("Registry").

In your recent letter you request that I advise you of the relationship which existed on August 20, 1987 between the owners of record of the property listed in the Registry on that date and the representatives of the West Lake Companies who met with you on that date.

The individuals who met with you on August 20, 1987 were: William E. Whitaker, President of West Lake Landfill, Inc., West Lake Quarry and Material Company, West Lake Ready Mix Company, and subsequently, Rock Road Industries, Inc.; S. Francis Baldwin, General Counsel for each of the above Companies; Bill Canney, Environmental Engineer for each of the West Lake Companies; and Robbie Robinson, P.E., Consulting Engineer with the firm of Burns & McDonnell, consultants to the West Lake Companies.

On August 20, 1987, West Lake Landfill and West Lake Quarry occupied Area 1 (as described in my earlier letter) as tenants. On August 20, 1987, West Lake Landfill owned Area 2(A) (as described in my earlier letter). On August 20, 1987, West Lake Landfill and West Lake Quarry were tenants of Area 2(B) (as described in my earlier letter). Therefore, the representatives who met with you on August 20, 1987 had the right to represent the respective interests of the West Lake Companies in the sites described in the Registry.

40249255



SUPERFUND RECORDS

DNR 0277

Mr. Jim Belcher
January 5, 1989
Page Two

Jim, if you will recall, the primary reason for the meeting on August 20, 1987 was our request that the DNR correct the legal description of the sites as they had been previously described in the Registry. The original description in the Registry included a large tract of land, all of the parcels of which were owned either by West Lake Quarry or West Lake Landfill, which had nothing to do with radioactive waste. The reason for the meeting was so that West Lake Landfill and West Lake Quarry could make sure that the property described in the Registry did not include real property owned by them and upon which no radioactive wastes were located.

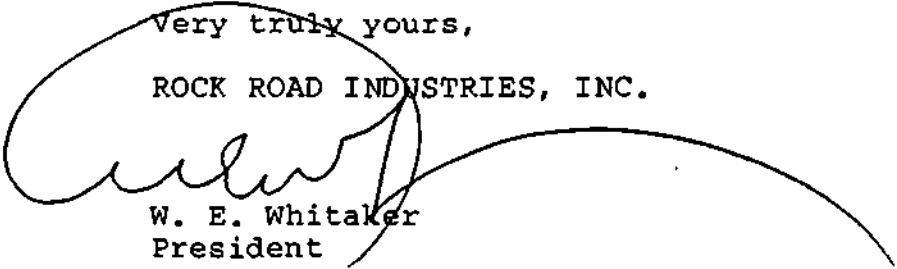
The legal description in the Registry was subsequently changed to reflect the correct property; however, the Registry does not reflect all of the correct owners of the property. But, I want to emphasize that the question of who owned the property was not a topic of discussion on August 20, 1987; rather, the topic at that meeting was to make sure that the correct legal descriptions were given. It was not until we received a copy of the Registry that we became aware that the incorrect record owner was indicated and this mistake eventually led to our recent exchange of correspondence.

I can assure you that the representatives who met with you on August 20, 1987 were fully authorized to discuss the question of the legal description of the property and at no time, to my recollection, did any discussion of record ownership of the correct parcels arise during our conversation.

Of course, I am willing to supply you with any additional information you may require on this matter.

Very truly yours,

ROCK ROAD INDUSTRIES, INC.



W. E. Whitaker
President

WEW:gc

Rock Road Industries, Inc.
13570 St. Charles Rock Rd.
Bridgeton, MO 63044

September 19, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jim Belcher
Department of Natural Resources
Division of Environmental Quality
P.O. Box 176
Jefferson City, Missouri 65102

RECORDED
SEP 21 1988

WASTE MANAGEMENT
PROGRAM

Re: West Lake Landfill, Inc. Registry Site

Dear Mr. Belcher:

Your letter dated August 30, 1988 (Certified Mail PO62020300) addressed to Mr. William McCullough has been referred to me for attention. (For your information, Mr. McCullough is no longer associated with West Lake Landfill, Inc. and I was President of West Lake Landfill, Inc. until July 29, 1988, the date upon which the capital stock of West Lake Landfill, Inc. was purchased by Laidlaw Waste Systems Inc.)

In your letter you inquire as to the ownership of two parcels of real property described in an instrument ("Notice") entitled "NOTICE OF PLACEMENT ON REGISTRY OF CONFIRMED ABANDONED OR UNCONTROLLED HAZARDOUS WASTE DISPOSAL SITES MODIFICATION OF PREVIOUS RECORDED NOTICE." The Notice is recorded at Book 8204 Page 817 of the Recorder of Deeds for St. Louis County, Missouri.

In response to your inquiry, I submit the following information to the best of my knowledge, information and belief:

1. The Notice indicates that West Lake Landfill, Inc. was the owner of record of the property legally described as Area 1 and Area 2 in the Notice. This is partially incorrect because at no time has West Lake Landfill, Inc. either been the owner of Area 1 or the owner of more than a portion of Area 2.

Mr. Jim Belcher
September 19, 1988
Page Two

2. Attached to this letter as Exhibit A is a copy of a survey ("Survey") recently prepared by Sherbut & Associates, Inc. identifying the areas described in the Notice. For your convenience, Area 1 is outlined in yellow, Area 2(A) is outlined in blue, and Area 2(B) is outlined in pink.

3. The current record owners of Area 1 are Walter Trump and Dorothy Trump, as tenants in common, as to an undivided one-half interest in said property; and John L. May Archbishop of St. Louis, the St. Jude League (a/k/a Shrine of St. Jude), and The Society for the Propagation of the Faith, Archdiocese of St. Louis, as tenants in common, as to an undivided one-half interest in said property.

4. Attached as Exhibit B to this letter is a legal description for Area 1 which, although different from the legal description in the Notice, is substantially the same as the legal description in the Notice but corresponds to the Survey.

5. The current record owner of Area 2(A), outlined in blue, is Rock Road Industries, Inc. Rock Road Industries, Inc. was deeded this property on July 29, 1988, and a copy of the General Warranty Deed ("Deed") is attached to this letter as Exhibit C.

6. The legal description for Area 2(A) is attached to the Deed and although different from the legal description in the Notice, is substantially the same as the legal description in the Notice but corresponds to the Survey.

7. The current record owners of Area 2(B), outlined in pink, are Walter Trump and Dorothy Trump, as tenants in common, as to an undivided one-half interest in said property; and John L. May Archbishop of St. Louis, the St. Jude League (a/k/a Shrine of St. Jude), and The Society for the Propagation of the Faith, Archdiocese of St. Louis, as tenants in common, as to an undivided one-half interest in said property.

8. The legal description for Area 2(B) is attached to this letter as Exhibit D and although different from the legal description in the Notice, is substantially the same as the legal description in the Notice but corresponds to the Survey.

If the foregoing does not respond adequately to your inquiry, please advise me and I will give you any additional details available to me. Because of the complexity of this matter, I also have no objection to you directly contacting our

Mr. Jim Belcher
September 19, 1988
Page Three

attorney, James F. Gunn, The Stolar Partnership, 911 Washington
Avenue, St. Louis, Missouri 63101, (314) 231-2800.

Very truly yours,

ROCK ROAD INDUSTRIES, INC.



W. E. Whitaker, President

Enclosures

cc: James F. Gunn, Esq.
S. Francis Baldwin, Esq.
West Lake Landfill, Inc.

OF LOTS 1, 2, 3 & 4 OF YOSTI PARTITION IN
U.S. SURVEY 131, PART OF LOTS 20, 21, & 22 OF
ST. CHARLES FERRY CO. TRACTS IN U.S. SURVEY
47 & 1934, PART OF U.S. SURVEYS 47, 131, 282
AND 729, ALL IN TOWNSHIPS 46
AND 47 NORTH, RANGE 5 EAST OF THE
15th. PRINCIPAL MERIDIAN,
ST. LOUIS COUNTY, MISSOURI.

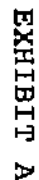


EXHIBIT B

A tract of land in part of U.S. Survey 131, Township 47 North, Range 5 East of the 5th Principal Meridian, St. Louis County, Missouri, described as follows:

Commencing at the intersection of the northwesterly line, of U.S. Survey 131 and the southwesterly right of way line of Highway 40, also known as St. Charles Rock Road; thence South 43 degrees 53 minutes 31 seconds East, along said right of way line, a distance of 729.68 feet; thence South 40 degrees 49 minutes 32 seconds West, a distance of 92.54 feet to the Point of Beginning of the following described tract; thence continuing South 40 degrees 49 minutes 32 seconds West, a distance of 288.61 feet; thence South 89 degrees 29 minutes 50 seconds West, a distance of 241.41 feet; thence North 79 degrees 05 minutes 44 seconds West, a distance of 390.43 feet; thence North 29 degrees 48 minutes 55 seconds East, a distance of 499.73 feet; thence North 84 degrees 45 minutes 59 seconds East, a distance of 248.68 feet; thence South 32 degrees 24 minutes 17 seconds East, a distance of 201.28 feet; thence South 56 degrees 18 minutes 22 seconds East, a distance of 251.78 feet to the Point of Beginning and containing 6.29 Acres.

EXHIBIT C

6305R

GENERAL WARRANTY DEED

This Deed made and entered into this 29th day of July, 1988, by and between West Lake Landfill, Inc., a corporation, 12976 St. Charles Rock Road, St. Louis, Missouri 63044, of the County of St. Louis, State of Missouri (herein called "Grantor") and Rock Road Industries, Inc., a corporation, 12976 St. Charles Rock Road, St. Louis, Missouri 63044, of the County of St. Louis, State of Missouri (herein called "Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged by Grantor, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto Grantee the following described Real Estate situated in the County of St. Louis and State of Missouri, more particularly described in Exhibit A attached hereto and incorporated herein by this reference; subject to all conditions, easements, encumbrances and other matters of record, to the rights of persons in possession of said Real Estate, to discrepancies or conflicts in boundary lines or shortages in area and any encroachment or overlapping of improvements, to easements or claims thereof which are not disclosed by the public record, to any lien or right to lien for services, labor or material granted by law and not shown by the public record, and to leases, whether or not disclosed by the public record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging unto Grantee and its successors and assigns forever.

Grantor covenants that Grantor and Grantor's respective successors shall and will WARRANT AND DEFEND the title to the premises unto Grantee and unto Grantee's successors and assigns against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year 1988 and thereafter, and special taxes becoming a lien after the date of this Deed.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed and sealed as of the day and year first above set forth.

WEST LAKE LANDFILL, INC.

(SEAL)

By: 

Its President

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

On this 29th day of July, 1988, before me, a notary public, personally appeared William E. Whitaker, to me known, who being by me duly sworn, did say that he is the President of West Lake Landfill, Inc., a Missouri corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument signed and sealed on behalf of said corporation by authority of its Board of Directors, and said person acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.


Notary Public

My commission expires:

DAVID JAY KRAUSS
NOTARY PUBLIC STATE OF MISSOURI
ST. LOUIS CO.
MY COMMISSION EXP. JAN. 19, 1989
ISSUED THRU MISSOURI NOTARY ASSOC.

EXHIBIT D

A tract of land in part of Lot 20, of the St. Charles Ferry Company Tract in U. S. Survey 47 and 1934, Township 47 North, Range 5 East of the 5th Principal Meridian, St. Louis County, Missouri, described as follows:

Commencing at the intersection of the centerline of St. Charles Rock Road and the northwesterly line of Lot 20 of the St. Charles Ferry Company Tract; thence North 28 degrees 53 minutes 11 seconds East, along said northwesterly line, a distance of 148.48 feet to the Point of Beginning of the following described tract; thence continuing North 28 degrees 53 minutes 11 seconds East, along said line, a distance of 676.08 feet to the northwest corner of said Lot 20; thence South 72 degrees 46 minutes 42 seconds East a distance of 167.57 feet to the most westerly corner of a tract of land conveyed to William Branneky by deed recorded in Book 503 on Page 28; thence South 43 degrees 34 minutes 53 seconds East along the most southwesterly line of said Branneky tract a distance of 353.62 feet; thence South 31 degrees 26 minutes 39 seconds West, a distance of 256.06 feet; thence South 33 degrees 08 minutes 25 seconds West, a distance of 109.40 feet; thence South 34 degrees 54 minutes 38 seconds East, a distance of 149.81 feet; thence South 44 degrees 29 minutes 33 seconds West, a distance of 267.70 feet; thence North 78 degrees 25 minutes 41 seconds West, a distance of 241.02 feet; thence North 34 degrees 31 minutes 30 seconds West, a distance of 351.19 feet to the Point of Beginning and containing 9.28 Acres.

Exhibit A to
General Warranty Deed

A tract of land in part of U. S. Survey 47 Township 47 North, Range 5 East of the 5th Principal Meridian, St. Louis County, Missouri, described as follows:

Commencing at the intersection of the centerline of St. Charles Rock Road and the northwesterly line of Lot 20 of the St. Charles Ferry Company Tract; thence North 28 degrees 53 minutes 11 seconds East, along said northwesterly line, a distance of 824.56 feet to the northwest corner of said Lot 20, said point being the Point of Beginning of the following described tract; thence North 72 degrees 46 minutes 42 seconds West, along the northerly line of Lot 19 of the St. Charles Ferry Company tract, a distance of 674.79 feet; thence North 47 degrees 43 minutes 02 seconds East, a distance of 906.64 feet; thence South 64 degrees 46 minutes 52 seconds East, a distance of 389.58 feet; thence South 76 degrees 30 minutes 26 seconds East, a distance of 245.51 feet; thence South 60 degrees 07 minutes 01 second East, a distance of 283.36 feet; thence South 31 degrees 26 minutes 39 seconds West, a distance of 880.36 feet, to the most southwesterly line of a tract of land conveyed to William Branneky by deed recorded in Book 503 on Page 28; thence North 43 degrees 34 minutes 53 seconds West, along said southwesterly line a distance of 353.62 feet to the most westerly corner of said Branneky tract; thence North 72 degrees 46 minutes 42 seconds West, a distance of 167.57 feet to the Point of Beginning and containing 18.81 Acres.